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DOCKET NO. D-2006-032 CP-2

DELAWARE RIVER BASIN COMMISSION

**Little Washington Wastewater Company
Honeycroft Village Wastewater Treatment Plant
Londonderry Township, Chester County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by the Little Washington Wastewater Company (LWWC) on February 28, 2012 (Application), for review of a new wastewater treatment plant (WWTP). The Pennsylvania Department of Environmental Protection (PADEP) issued Water Quality Management (WQM) Permit No. 1506410 for this project on December 21, 2011.

The Application was reviewed for inclusion of the project in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Chester County Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on September 12, 2012.

A. DESCRIPTION

- 1. Purpose.** The purpose of this docket is to approve the construction and operation of the 0.077 million gallons per day (mgd) Honeycroft Village WWTP.
- 2. Location.** The WWTP will land discharge treated effluent near River Mile 70.7 – 1.5 – 20.0 – 10.1 – 2.2 – 8.1 (Delaware River – Christina River – Brandywine Creek – West Branch Brandywine Creek – Buck Run – Doe Run) via an on-site 14.1 acre spray field, in Londonderry Township, Chester County, Pennsylvania as follows:

FACILITY	LATITUDE (N)	LONGITUDE (W)
Spray Field	39° 53' 00"	75° 53' 00"

3. **Area Served.** The Honeycroft Village WWTP will serve the community of the same name, located on Londonderry Township, Chester County, Pennsylvania. For the purpose of defining the Area Served, Section B (Type of Discharge) and D (Service Area) of the docket holder's Application are incorporated herein by reference, to the extent consistent with all other conditions contained in the DECISION Section of this docket.

4. **Physical Features.**

a. **Design Criteria.** The docket holder proposes to construct and operate the 0.077 mgd Honeycroft Village WWTP. Treated effluent will be land discharged via a proposed spray irrigation system when the weather permits.

b. **Facilities.** The proposed WWTP process will consist of an influent screen, an aerated lagoon, two (2) storage lagoons, a filter feed pump station, a flocculation tank, an aqua-disk filter, a sludge holding tank, an irrigation pump station, a chlorine contact tank, and three spray field areas.

The project facilities aren't located in the 100-year floodplain.

Wasted sludge will be hauled off-site by a licensed hauler for disposal at a (State-approved) facility.

c. **Water withdrawals.** The potable water supply in the project service area is supplied by the Chester Water Authority (CWA). Docket No. D-69-60 CP describes this withdrawal and was approved by the Commission on May 28, 1969. The Honeycroft Village is within the CWA's service area.

d. **WQM Permit / DRBC Docket.** WQM Permit No. 1506410 was approved by the PADEP on December 21, 2011 and includes final effluent limitations for the land discharge of 0.077 mgd. The following average monthly effluent limits are among those listed in the WQM Permit and meet or are more stringent than the effluent requirements of the DRBC.

EFFLUENT TABLE A-1: DRBC Parameters Included in WQM Permit

Spray Field Discharge		
PARAMETER	LIMIT	MONITORING
pH (Standard Units)	6 to 9 at all times	As required by WQM Permit
Total Suspended Solids	30 mg/l	As required by WQM Permit
CBOD (5-Day at 20° C)	25 mg/l (85% minimum removal*)	As required by WQM Permit
Fecal Coliform	200 colonies per 100 ml as a geo. avg.	As required by WQM Permit

* DRBC Requirement

EFFLUENT TABLE A-2: DRBC Parameters Not Included in WQM Permit

Spray Field Discharge		
PARAMETER	LIMIT	MONITORING
Total Dissolved Solids*	1,000 mg/l *	Quarterly **
Ammonia Nitrogen*	Monitor & Report *	Monthly *

* DRBC Requirement

** See DECISION Condition II.t.

The PADEP has required Total Nitrogen monitoring for the Honeycroft Village WWTP. DRBC does not require monitoring for this parameter outside of Special Protection Waters.

e. **Cost.** DRBC Docket No. D-2006-32-1 approved the construction of this WWTP and the related community on February 28, 2007. The overall cost of the project was estimated to be \$2,862,000. Construction of the community is roughly twenty percent (20%) complete and wastewater is currently stored at the site of the proposed WWTP and hauled off-site. Final construction costs are required to be reported to the Commission in accordance with DECISION Condition II.j.

f. **Relationship to the Comprehensive Plan.** The 0.077 mgd Honeycroft Village WWTP will be incorporated into the Comprehensive Plan as part of this docket approval (See DECISION Condition I.b.).

B. FINDINGS

The purpose of this docket is to approve the construction and operation of the 0.077 mgd Honeycroft Village WWTP. DRBC Docket No. D-2006-32-1 approved the construction of this WWTP and the related community on February 28, 2007. Construction of the community is roughly twenty percent (20%) complete and wastewater is currently stored at the site of the proposed WWTP and hauled off-site. Construction of the WWTP is expected shortly. Since the development is already underway, installation of the infrastructure that conveys the untreated wastewater to the WWTP is complete, and the PADEP has already issued an extension to the WQM Permit, Commission staff did not re-review the WWTP design since substantial funds had already been expended based upon the previous approval. However, any future modifications or alterations to the WWTP design are subject to DRBC review and approval prior to their inclusion (See DECISION Condition II.k.).

Near the project site, Doe Run is classified as an intermittent stream (flow is less than 0.1 cfs). The implementation of a land discharge is therefore in accordance with Commission standards that prohibit new surface water discharges to intermittent streams.

The nearest surface water intake of record for public water supply downstream of the project discharge is located approximately 36 river miles away on the Brandywine Creek and is operated by the City of Wilmington, roughly 7.5 miles below the Pennsylvania and Delaware State boundary.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The limits in the NPDES Permit are in compliance with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge meeting the effluent requirements as set forth in the Commission's *WQR*.

C. DECISION

I. Effective on the approval date for Docket No. D-2006-032 CP-2 below:

a. Docket No. D-2006-32-1 is terminated and replaced by Docket No. D-2006-032 CP-2; and

b. The project and the appurtenant facilities described in Section A "Physical Features" of this docket shall be added to the Comprehensive Plan.

II. The project and appurtenant facilities as described in Section A "Physical Features" of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP in its WQM Permit, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's.

b. The facility and operational records shall be available at all times for inspection by the DRBC.

c. The facility shall be operated at all times to comply with the requirements of the Commission's *WQR*.

d. The docket holder shall comply with the requirements contained in the Effluent Tables in Section A.4.d. of this docket. The docket holder shall submit the required monitoring results directly to the DRBC Project Review Section. The monitoring results shall be submitted annually, absent any observed limit violations, by January 31. If a DRBC effluent limit is violated, the docket holder shall submit the result(s) to the DRBC within 30 days of the violation(s) and provide a written explanation that states the action(s) the docket holder has taken to correct the violation(s) and protect against any future violations.

e. Except as otherwise authorized by this docket, if the docket holder seeks relief from any limitation based upon a DRBC water quality standard or minimum treatment requirement, the docket holder shall apply for approval from the Executive Director or for a

docket revision in accordance with Section 3.8 of the *Compact* and the *Rules of Practice and Procedure*.

f. If at any time the receiving treatment plant proves unable to produce an effluent that is consistent with the requirements of this docket approval, no further connections shall be permitted until the deficiency is remedied.

g. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

h. Sound practices of excavation, backfill and reseedling shall be followed to minimize erosion and deposition of sediment in streams.

i. Within 10 days of the date that construction of the project has started, the docket holder shall notify the DRBC of the starting date and scheduled completion date.

j. Within 30 days of completion of construction of the approved project, the docket holder is to submit to the attention of the Project Review Section of DRBC a Construction Completion Statement (“Statement”) signed by the docket holder’s professional engineer for the project. The Statement must (1) either confirm that construction has been completed in a manner consistent with any and all DRBC-approved plans or explain how the as-built project deviates from such plans; (2) report the project’s final construction cost as such cost is defined by the project review fee schedule in effect at the time the application was made; and (3) indicate the date on which the project was (or is to be) placed in operation. In the event that the final project cost exceeds the estimated cost used by the docket holder to calculate the DRBC project review fee, the statement must also include (4) the amount of any outstanding balance owed for DRBC review. The outstanding balance will equal the difference between the fee paid to the Commission and the fee calculated on the basis of the project’s final cost, using the formula and definition of “project cost” set forth in the DRBC’s project review fee schedule in effect at the time application was made.

k. This docket approval shall expire three years from date below unless prior thereto the docket holder has commenced operation of the Honeycroft Village WWTP or has proven to the DRBC that they have expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval. Additionally, any modifications to the WWTP design shall first need to be approved by the Commission before their implementation.

l. The docket holder is permitted to treat and discharge wastewaters as set forth in the Area Served Section of this docket, which incorporates by reference Sections B (Type of Discharge) and D (Service Area) of the docket holder’s Application to the extent consistent with all other conditions of this DECISION Section.

m. The docket holder shall make wastewater discharge in such a manner as to avoid injury or damage to fish or wildlife and shall avoid any injury to public or private property.

n. No sewer service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).

o. Nothing in this docket approval shall be construed as limiting the authority of DRBC to adopt and apply charges or other fees to this discharge or project.

p. The issuance of this docket approval shall not create any private or proprietary rights in the waters of the Basin, and the Commission reserves the right to amend, suspend or rescind the docket for cause, in order to ensure proper control, use and management of the water resources of the Basin.

q. Unless an extension is requested and approved by the Commission in advance, in accordance with paragraph 11 of the Commission's Project Review Fee schedule (Resolution No. 2009-2), the docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance of the docket expiration date set forth below. The docket holder will be subject to late charges in the event of untimely submittal of its renewal application, whether or not DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below (or the later date established by an extension that has been timely requested and approved), the terms and conditions of the current docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

r. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

s. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the Rules of Practice and Procedure. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

t. The docket holder may request of the Executive Director in writing the substitution of specific conductance for TDS. The request should include information that supports the effluent specific correlation between TDS and specific conductance. Upon review, the Executive Director may modify the docket to allow the substitution of specific conductance for TDS monitoring.

u. The docket holder is prohibited from treating/pre-treating any hydraulic fracturing wastewater from sources in or out of the Basin at this time. Should the docket holder wish to treat/pre-treat hydraulic fracturing wastewater in the future, the docket holder will need to first apply to the Commission to renew this docket and be issued a revised docket allowing

such treatment and an expanded service area. Failure to obtain this approval prior to treatment/pre-treatment will result in action by the Commission.

BY THE COMMISSION

DATE APPROVED:

EXPIRATION DATE: December 21, 2016

DRAFT